IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 5562 of 2005

Between:

M/s. Action International, Rep by its Proprietor Sri Kishore Katare,
At 5/B, Paigah Colony, II Floor, S.P. Road, Secunderabad.

..... PETITIONER

AND

Govt. of A.P. Rep by its Secretary,
Youth Advancement Tourism & Culture Department,

'D' Block I Floor, Secretariat, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or directions more particularly one in the nature of Writ of Mandamus declaring the action of the respondent by fixing the date from 9-3-2005 to 15-3-2005 by issuing the notification on 11-3-2005 in "Economic Times" as arbitrary, illegal and consequently direct the respondent to fix the some other date for submission of the Expression of Interest Documents to the respondent and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: MR.V.V.N.NARASIMHAM

Counsel for the Respondent: G.P FOR TOURISM

The Court made the following :

ORDER:

The present writ petition is filed to declare the action of the respondent in fixing the date for submission of the Expression of Interest Documents, from 09-03-2005 to 15-03-2005, by issuing the notification on 11-03-2005, in “The Economic Times”, as arbitrary and illegal.

Heard learned counsel for the petitioner and the learned Government Pleader for Tourism appearing for the respondent.

Learned counsel for the petitioner contended that though the date, for submission of the Expression of Interest Documents, was fixed as 09-03-2005 to 15-03-2005, the same was published in the newspaper on 11-03-2005; and since there is only one working day, it is not possible for any tenderer to furnish such information as required in the tender notification. Therefore, the petitioner prays to set aside the same or extend the time to enable the tenderers to submit their applications.

On the other hand, learned Government Pleader for Tourism contended that this is not the first notification issued by the Government. In the first instance, a notification has been given on 04-03-2005 calling for the applications, and again the same notification has appeared on 09-03-2005 and therefore, there is ample opportunity for the tenderers to submit their applications.

There cannot be any dispute that a tenderer cannot have a right to challenge the notification, unless his case is discriminated or that his case has been treated unfairly among the tenderers, and that stage has not come. Needless to mention that if there is any difficulty faced by the writ petitioner in furnishing the tender, the same would also have been faced by all the other tenderers.

Therefore, the writ petition is totally devoid of merits and is accordingly dismissed. There shall be no order as to costs.

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21-03-2005

vs

To

1. Govt. of A.P. Rep by its Secretary,
   Youth Advancement Tourism & Culture Department,

'D' Block I Floor, Secretariat, Hyderabad.

2. Two CCs to the G.P for Tourism, High Court of A.P.,

Hyderabad(O.U.T).

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